

## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/795,958	03/08/2004	Gary Marshik	BSI-035

021323  
 TESTA, HURWITZ & THIBEAULT, LLP  
 HIGH STREET TOWER  
 125 HIGH STREET  
 BOSTON, MA 02110

CONFIRMATION NO. 8611  
**FORMALITIES LETTER**



\*OC000000012788037\*

Date Mailed: 05/27/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$212** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1112** for a Large Entity

08/05/2004 FFANAI2 00000015 10795958	770.00 OP
02 FC:1001	130.00 OP
03 FC:1051	86.00 OP
04 FC:1201	126.00 OP
05 FC:1202	

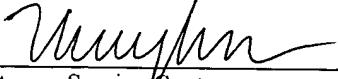
- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$212**
  - **\$86** for **1** independent claims over **3**.
  - **\$126** for **7** total claims over **20**.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**PATENT**  
Attorney Docket No. BSI-035  
(354/72)

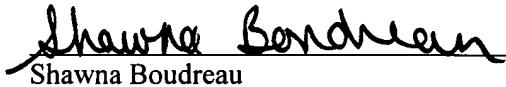


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Marshik et al. CONFIRMATION NO.: 8611  
APPLICATION NO.: 10/795,958 GROUP NO.: 3634  
FILING DATE: March 8, 2004 EXAMINER: Not yet assigned  
TITLE: Hardware for Window Sashes

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 20 day of August, 2004.

  
Shawna Boudreau

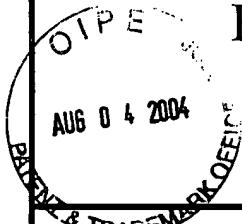
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Alexandria, VA 22313-1450

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Fee Transmittal (1 pg.);
3. Transmittal of Formal Drawings (1 pg.);
4. Formal Drawings (4 pgs.);
5. Declaration and Power of Attorney (4 pgs.);
6. Patent Practitioners of Record Under 37 C.F.R. § 1.32(c)(3) (1 pg.);
7. Supplemental Application Data Sheet (3 pgs.);
8. Check in the Amount of \$1222.00;
9. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.);
10. Petition for Extension of Time Under 37 C.F.R. 1.136(a) (1 pg.); and
11. Return receipt postcard.

3100914

# TRANSMITTAL FORM



Application Serial Number	10/795,958
Filing Date	March 8, 2004
First Named Inventor	Marshik
Group Art Unit	3634
Examiner Name	Not yet assigned
Attorney Docket No.	BSI-035
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

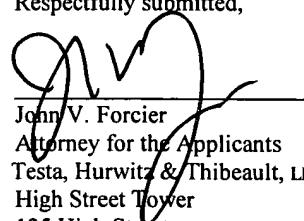
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input checked="" type="checkbox"/> Formal Drawings (4 pages) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure (please identify below) <input checked="" type="checkbox"/> Transmittal of Formal Drawings (1 pg.) <input checked="" type="checkbox"/> Supplemental Application Data Sheet (3 pgs.) <input checked="" type="checkbox"/> Patent Practitioners of Record Under 37 CFR § 1.32(c)(3) (1 pg.)
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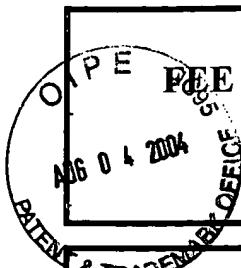
## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

## SIGNATURE BLOCK

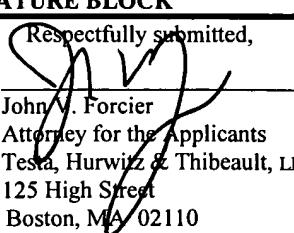
Date: August 2, 2004  
 Reg. No. 42,545  
 Tel. No. (617) 248-7675  
 Fax No. (617) 248-7100

Respectfully submitted,  
  
 John V. Forcier  
 Attorney for the Applicants  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110



**FEES TRANSMITTAL  
FY 2004**

<i>Complete if Known</i>	
Application Serial Number	10/795,958
Filing Date	March 8, 2004
First Named Inventor	Marshik
Group Art Unit	3634
Examiner Name	Not Assigned
Attorney Docket No.	BSI-035

<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>	
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES	
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.		Large Entity Fee (\$)	Small Entity Fee (\$)
3. <input type="checkbox"/> Applicant claims small entity status.			<b>Fee Description</b>
<b>FEE CALCULATION</b>			
<b>1. FILING FEE</b>			
Large Entity			
Fee (\$)		Fee Description	
770 Utility filing fee 340 Design filing fee 160 Provisional filing fee		770.00	
Number Filed		Number Extra	
Total Claims		Rate	
27 - 20 = 7		x \$ 18.00 = 126.00	
Independent Claims		Amount	
4 - 3 = 1		x \$ 86.00 = 86.00	
<input type="checkbox"/> Multiple Dependent Claim(s), if any		\$290.00 =	
		TOTAL: 982.00	
SMALL ENTITY DISCOUNT:			
SUBTOTAL (1)		(\$)	
982.00		982.00	
<b>2. AMENDMENT CLAIM FEES</b>			
Claims		Highest No.	
Remaining		Present	
After Amend.		Rate	
Paid For		Fee Paid	
Total		x \$ 18.00 =	
Indep.		x \$ 86.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim		+ \$290.00 =	
		TOTAL: (\$)	
SMALL ENTITY DISCOUNT:		(\$)	
SUBTOTAL (2)		(\$)	
0.00		0.00	
<b>CORRESPONDENCE ADDRESS</b>			
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100			
<b>SIGNATURE BLOCK</b>			
Respectfully submitted,  John V. Forcier Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP 125 High Street Boston, MA 02110			



**PATENT**  
Attorney Docket No. BSI-035  
(354/72)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Marshik et al. CONFIRMATION NO. 8611  
APPLICATION NO.: 10/795,958 GROUP NO.: 3634  
FILING DATE: March 8, 2004 EXAMINER: Not yet assigned  
TITLE: Hardware for Window Sashes

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

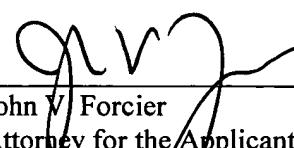
**TRANSMITTAL OF FORMAL DRAWINGS**

Attached please find the formal drawings for this application - Number of Sheets - 4.

Respectfully submitted,

Date: August 2, 2004  
Reg. No. 42,545

Tel. No.: (617) 248-7675  
Fax No.: (617) 248-7100

  
John V. Forcier  
Attorney for the Applicants  
Testa, Hurwitz & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

3100931



PATENT  
Attorney Docket No. BSI-035  
(354/72)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Marshik et al. CONFIRMATION NO.: 8611  
SERIAL NO.: 10/795,958 GROUP NO.: 3634  
FILING DATE: March 8, 2004 EXAMINER: Not yet assigned  
TITLE: Hardware for Window Sashes

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Alexandria, VA 22313-1450

**PATENT PRACTITIONERS OF RECORD UNDER 37 C.F.R. § 1.32(c)(3)**

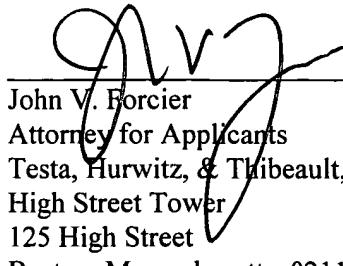
Dear Sir:

Under 37 C.F.R. § 1.32 (c)(3), the following patent practitioners listed on the concurrently submitted Declaration and Power of Attorney For Utility or Design Patent Application should be recognized by the U.S. Patent and Trademark Office as being of record in the above-identified patent application to which the power of attorney is directed.

1. John V. Forcier	Registration No.	# 42,545
2. Christopher W. Stamos	Registration No.	# 35,370
3. Mark L. Beloborodov	Registration No.	# 50,773
4. Andrew L. Jagenow	Registration No.	# 51,842
5. Thomas A. Turano	Registration No.	# 35,722
6. Brian M. Gaff	Registration No.	# 44,691
7. James C. De Vellis	Registration No.	# 52,814
8. John J. Cotter	Registration No.	# 38,116
9. Doug J. Kline	Registration No.	# 35,574
10. William A. Meunier	Registration No.	# 41,193

The Patent Office is requested to contact the undersigned with any questions.

Respectfully submitted,

  
John V. Forcier  
Attorney for Applicants  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: August 2, 2004  
Reg. No. 42,545

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